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## Front Page

### Companies told they'll bear costs of cleanup

Lead contamination in Margaret's Creek traced to 3 companies

BY JESSICA SMITH

Staff Writer

**OLD BRIDGE** - The state Department of Environmental Protection (DEP) identified three companies wh played roles in contaminating the Margaret's Creek area, and told them they will be responsible for getting the lead out.

The parties named by the DEP for financial responsibility are NL [formerly National Lead] Industries, Twin Anchors Marine Basin and Liberty Trucking Co.

"The health and safety of the people being our primary concern, I think the best course of action would be to combine the resources of Old Bridge Township and Middlesex County with those of the New Jersey Department of Environmental Protection to expedite the cleanup of this unique piece of waterfront property," Mayor Jim Phillips wrote in a letter to county Freeholder Director David Crabel dated July 27. "Those responsible for contaminating this site should be forced to do all necessary remediation without delay."

When DEP officials discovered unusually high levels of lead in the Margaret's Creek area in late April, they launched an investigation to locate the culprits. Armed with the knowledge that the area was filled around the 1960s or 1970s, the DEP sought the help of residents who might have recollections of what went on there in that time period, Phillips said.

With the help of Phillips, who grew up in the area, and other residents, the DEP was steered in the right direction. Closely following in the wake of solid lead ingots found in parts of the Laurence Harbor beachfront seawall, the DEP found the answer to its question in its own archives.

In a letter dated Dec. 8, 1972, James J. Cullen of NL Industries told the DEP that "the principal feed material for the blast furnace located at our plant consists of battery plates from lead/acid storage batteries ... all lead-bearing material collected ... [is] recycled. Slag, which consists of nonrecoverable low-yield metallic waste from the blast furnace and blast furnace mbble are disposed of by Liberty Tmcking

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Company, Fords, New Jersey at their property in Madison Township [now Old Bridge]."

"It's obvious to me that what they were calling slag was metal containing lead," Phillips said, adding, "I can't speak to why no action was taken back in 1972, [but] the people handling this now in the DEP have been nothing short of outstanding."

Though the lead in question was produced by NL Industries, the other two companies are implicated because of their involvement in the disposal of the lead. Liberty Tmcking, as stated in the letter, dumped the lead at the Margaret's Creek/Laurence Harbor seawall site, which was owned by Twin Anchors Marin Basin from the early 1960s to the mid-1980s, according to DEP documents.

Liberty Tmcking and Twin Anchors shared several employees who held high-ranking positions in the companies, the DEP stated. Further, Phillips said, both companies were owned by Charles Ludwig.

Both Liberty Tmcking and Twin Anchors dissolved as companies, in 2005 and 1989, respectively. NL Industries is still in business.

"We would like them to recognize their responsibility here," Phillips said. "National Lead is a multimillion dollar conglomerate. They certainly have the resources to remediate this problem."

In a directive and notice to insurers addressed to the three companies, Ronald Corcoran, assistant director of the DEP's oversight resources allocation element, informed them that they will be held responsible for all costs associated with the testing, cleanup and removal of the lead under the N.J. Spill Compensation and Control Act.

The only cost specified in the directive was \$75,000 for the collection of samples at the testing site, which helped to assess the impact of the contamination there.

"I think it's only a drop in the bucket," Phillips said.

Costs of cleanup and removal have not yet been determined, as the DEP is still gauging the severity of the problem.

"The last I heard is that ... we're wrapping up the test phase and moving into the enforcement," Larry Hajna, a DEP spokesperson, said.

The township also concluded its air testing in the area, which yielded results showing no elevated levels of lead, Phillips said.

If the companies fail to comply with the directive, they can be sued. This could result in property liens, along with liability costs up to three times the amount of what the DEP is requesting. The companies could also end up paying fines of up to \$50,000 per day until they comply, according to the document.

Phillips said he is recommending that the issue also be dealt with through the Middlesex County Prosecutor's Office.

While the process of testing and cleanup plays out, residents can rest assured that the contaminated sites have been fenced off to prohibit access, Phillips said.

"My dreams, and the dreams of the freeholders, to connect the boardwalk at Cliffwood Beach have been put on hold," Phillips said.

According to Phillips, the main concern raised by the lead findings is that of children possibly having ingested it by coming in contact with it, then placing their fingers in their mouths.

"It's a very simple test to have your child taken to a pediatrician to have a lead screening," Phillips said.

Families without medical insurance can have arrangements for testing made by the county health department.

For more information on lead screenings and other related concerns, call the Middlesex County Health Department at (732) 745-3100.